



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cohen et al.)
)
Serial No.: 10/751,551) Group Art Unit: 2862
)
Filed: January 5, 2004) Examiner: Not Yet Assigned
)
For: NMR Probe With Flow Restriction) Attorney Docket No.: FOM-140.01
Element)

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail (Express Mail Label No. EV 327708405 US) in an envelope addressed to: Mail Stop: Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 9, 2004.


Brett Clemens

Mail Stop: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.47(a)

Dear Sir:

Applicants submit this Petition under 37 C.F.R. § 1.47(a) in reply to the Notice to File Missing Parts dated April 9, 2004.

Pursuant to 37 C.F.R. § 1.47(a) and MPEP § 409.03(a) and (d), Applicants state the following:

1. At the time the inventions of the present application were invented, inventors Naim Levi, Uri Rapoport, and Tal Cohen were employed by Foxboro NMR Ltd., a subsidiary of Invensys Systems, Inc. (f/k/a the Foxboro Company).

11/12/2004 MAHME1 00000013 061448 10751551

02 FC:1460 130.00 DA

FHBOSTON/1109992.1

2. On the date the application was filed, January 5, 2004, Applicants' Attorney Mr. Kevin Oliver sent a copy of the declaration to Vered Kama-Schefner, CFO of Foxboro NMR, so that she could obtain the signatures of inventors Naim Levi, Uri Rapoport, and Tal Cohen on the declaration. A copy of the letter to Ms. Kama-Schefner is attached as Exhibit A.

3. Mr. Oliver did not receive a response from inventors Naim Levi, Uri Rapoport, and Tal Cohen regarding the declaration.

4. On March 10, 2004, Mr. Oliver sent, by facsimile, new copies of the declaration to Michelle Banks, assistant to David Barron, Esq., Chief IP Counsel for Invensys Systems, Inc. Ms. Banks requested these copies to have inventors Naim Levi, Uri Rapoport, and Tal Cohen execute the declaration. A copy of the facsimile to Ms. Banks is attached as Exhibit B.

5. Mr. Oliver did not receive a response from inventors Naim Levi, Uri Rapoport, and Tal Cohen regarding the declaration.

6. Thus, Mr. Oliver sought to directly contact inventor Naim Levi on April 26, 2004. On that date, Mr. Oliver deposited with DHL Worldwide Express a package addressed to the last known address of inventor Naim Levi. This package included a letter to inventor Naim Levi and a declaration and an assignment for execution by inventor Naim Levi, along with an addressed return envelope, with postage paid, and a copy of the application as filed. A copy of the April 26, 2004 letter to inventor Naim Levi is attached as Exhibit C.

8. Further, Mr. Oliver sought to directly contact inventor Uri Rapoport on April 26, 2004. On that date, Mr. Oliver deposited with DHL Worldwide Express a package addressed to the last known address of inventor Uri Rapoport. This package included a letter to inventor Uri Rapoport and a declaration and an assignment for execution by inventor Uri Rapoport, along

with an addressed return envelope, with postage paid, and a copy of the application as filed. A copy of the April 26, 2004 letter to inventor Uri Rapoport is attached as Exhibit D.

9. Further, Mr. Oliver sought to directly contact inventor Tal Cohen on April 26, 2004. On that date, Mr. Oliver deposited with DHL Worldwide Express a package addressed to the last known address of inventor Tal Cohen. This package included a letter to inventor Tal Cohen and a declaration and an assignment for execution by inventor Tal Cohen, along with an addressed return envelope, with postage paid, and a copy of the application as filed. A copy of the April 26, 2004 letter to inventor Tal Cohen is attached as Exhibit E.

10. Mr. Oliver did not receive any response from inventors Naim Levi, Uri Rapoport, and Tal Cohen in reply to the respective April 26, 2004 letters.

11. On July 29, 2004, Ms. Teresa Barbuto, assistant to Mr. Oliver, e-mailed Ms. Kama-Schefner, informing her of the April 26, 2004 letters to inventors Naim Levi, Uri Rapoport, and Tal Cohen via DHL, and requesting that she contact the inventors to ask them to sign and return the declaration as soon as possible. A copy of this e-mail is attached as Exhibit F.

12. In response, Ms. Kama-Schefner requested that Mr. Oliver again attempt to directly contact inventors Naim Levi and Tal Cohen, but indicated that inventor Uri Rapoport had not responded to any recent communications from her and she believed it likely he would not respond to any communications from Mr. Oliver.

13. Thus, Mr. Oliver again sought to contact inventor Naim Levi on August 2, 2004. On that date, Mr. Oliver deposited with FedEx Express another package addressed to the last known address of inventor Naim Levi. This package included a letter to inventor Naim Levi and a declaration and an assignment for execution by inventor Naim Levi. A copy of the August 2,

2004 letter to inventor Naim Levi is attached as Exhibit G, and a copy of the FedEx Express Shipment Air Waybill is attached as Exhibit H.

13. Further, Mr. Oliver again sought to contact inventor Tal Cohen on August 2, 2004. On that date, Mr. Oliver deposited with FedEx Express another package addressed to the last known address of inventor Tal Cohen. This package included a letter to inventor Tal Cohen and a declaration and an assignment for execution by inventor Tal Cohen. A copy of the August 2, 2004 letter to inventor Tal Cohen is attached as Exhibit I, and a copy of the FedEx Express Shipment Air Waybill is attached as Exhibit J.

14. Mr. Oliver did not receive any response from inventors Naim Levi or Tal Cohen to the August 2, 2004 letters. As of the current date, neither the undersigned Attorney for Applicants, nor any of the above-mentioned parties, have received any response regarding the declarations from inventors Naim Levi, Uri Rapoport, or Tal Cohen.

15. At some time between August 2, 2004 and August 20, 2004, Mr. Oliver became aware that inventor Tal Cohen had, at a previous time, orally refused to sign the declaration for the patent application in the presence of Ms. Kama-Schefner. A statement of facts in the form of a declaration from Ms. Kama-Schefner, describing the circumstances of this express oral refusal, is attached and filed herewith.

16. As of the current date, inventor Tal Cohen continues to refuse to execute the declaration and assignment.

17. On August 20, 2004, Mr. Oliver ceased to represent Invensys Systems, Inc., Foxboro NMR Ltd., and the Applicants, due to his departure from the law firm of Foley Hoag LLP. On September 15, 2004, the undersigned Attorney for Applicants became associated with Foley Hoag LLP and was assigned responsibility for this matter.

18. Pursuant to 37 C.F.R. § 1.47(a) and MPEP § 409.03(a) and (e), Applicants state that the last known address of inventor Naim Levi is:

32/1 Sinai Street

47226 Ramat Hasharon

D.N. Merkaz

ISRAEL

Pursuant to 37 C.F.R. § 1.47(a) and MPEP § 409.03(a) and (e), Applicants state that the last known address of inventor Uri Rapoport is:

Masek 17

Moshay Ben-Shemen

D.N. Merkaz

ISRAEL

Pursuant to 37 C.F.R. § 1.47(a) and MPEP § 409.03(a) and (e), Applicants state that the last known address of inventor Tal Cohen is:

20 Yehoshafat Street

Herzia 46701 ISRAEL

Inventors Paul J. Giammatteo and John C. Edwards have executed a declaration under 37 C.F.R. § 1.63, which is filed herewith.

Based on the foregoing statements and the accompanying documents, Applicants request that the Commissioner grant this Petition under 37 C.F.R. § 1.47(a) to proceed without uncooperative inventors Uri Rapoport, Naim Levi, and Tal Cohen, and in the name of cooperating inventors Paul J. Giammatteo and John C. Edwards.

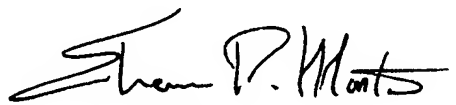
Applicants' Attorney considers this Petition to be complete. Should additional fees be required for consideration of the Petition, Applicants' Attorney requests that the additional fees be charged to **Deposit Account No. 06-1448, Reference FOM-140.01**. Further, Applicants' Attorney hereby authorizes the Commissioner to credit any overpayment to **Deposit Account Number 06-1448, Reference FOM-140.01**.

Should questions arise concerning this Petition, please contact the undersigned.

Respectfully submitted,
FOLEY HOAG LLP

November 9, 2004

Customer No. 25,181
Patent Group
Foley Hoag LLP
155 Seaport Blvd.
Boston, MA 02210
Fax: (617) 832-7000

A handwritten signature in black ink, appearing to read "Shaun P. Montana", written over a horizontal line.

Shaun P. Montana
Reg. No. 54,320
Attorney for the Applicants
Tel: (617) 832-1245



**FOLEY
HOAG** LLP
ATTORNEYS AT LAW



January 5, 2004

Kevin A. Oliver
Boston Office
617.832.1241
koliver@foleyhoag.com

Vered Kama-Schefner
CFO & Business Development
Invensys Foxboro NMR Ltd.
P.O. Box 3044 Hashcham Str. 16 Bld. 25
Caesarea Industrial Park (North)
38900 Israel

Re: U.S. Application No. NYA
Filed: January 5, 2004
Title: NMR Probe With Flow Restriction Element
Our Reference: FOM-140.01 (22639-140.01)

Dear Vered:

The above-referenced utility application was filed today with the United States Patent and Trademark Office. In connection therewith, I enclose the following:

- 1) Declaration for Utility Application Using an Application Data Sheet.
Kindly have Tal, Uri and Naim sign where indicated on page 1 or page 2 of the form;
and
- 2) Power of Attorney and Correspondence Address Indication Form. Please
have each sign and date his respective form where indicated.

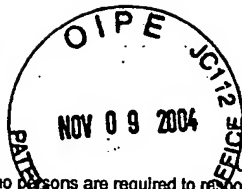
Thereafter, please return the forms to me for filing with the Patent Office.

Best regards,

Kevin A. Oliver

KAO:tab
Enclosure
cc: David Barron, Esq.

20/574137.1



PTO/SB/01A (08-03)

Approved for use through 06/30/2006. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	NMR Probe With Flow Restriction Element
<p>As the below named inventor(s), I/we declare that:</p> <p>This declaration is directed to:</p> <p><input type="checkbox"/> The attached application, or</p> <p><input checked="" type="checkbox"/> Application No. _____, filed on <u>January 5, 2004</u>,</p> <p><input type="checkbox"/> as amended on _____ (if applicable);</p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.</p> <p>All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p>	

FULL NAME OF INVENTOR(S)	
Inventor one:	<u>Tal Cohen</u>
Signature: _____	Citizen of: <u>Israel</u>
Inventor two:	<u>Paul J. Giammatteo</u>
Signature: _____	Citizen of: <u>U.S.</u>
Inventor three:	<u>John C. Edwards</u>
Signature: _____	Citizen of: <u>G.B.</u>
Inventor four:	<u>Uri Rapoport</u>
Signature: _____	Citizen of: <u>Israel</u>
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on <u>1</u> additional form(s) attached hereto.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Declaration with Application Data Sheet SB-1A continuation page

Inventor five: Naim Levi

Signature: _____ Citizen of: _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	
Filing Date	January 5, 2004
First Named Inventor	Cohen, Tal
Art Unit	
Examiner Name	
Attorney Docket Number	FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number

25181

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Tal Cohen

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	
Filing Date	January 5, 2004
First Named Inventor	Cohen, Tal
Art Unit	
Examiner Name	
Attorney Docket Number	FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number

25181

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number..

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Uri Rapoport

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	
Filing Date	January 5, 2004
First Named Inventor	Cohen, Tal
Art Unit	
Examiner Name	
Attorney Docket Number	FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number

25181

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Naim Levi

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Fax

Date: March 10, 2004

To: Michelle Banks

Fax #: 508-549-6295

Confirm#:

Client Matter#: 22639-14001

From: Kevin A. Oliver

Sender's Number: 1241

User #: 6674

Total Pages Sent (Including Cover Sheet): 6

Office: Boston

Message

Re: U.S. Patent Application No. 10/751,551

Filed: January 5, 2004

Title: NMR Probe With Flow Restriction Element

Our Reference: FOM-140.01 (22639-140.01)

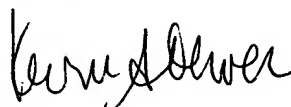
Dear Michelle:

As requested in your e-mail of yesterday's date, enclosed are the following:

1. Declaration; and
2. Power of Attorney forms for Tal Cohen, Uri Rapoport and Naim Levi.

Kindly obtain the signatures of the three inventors indicated above, and I will again attempt to obtain the signatures of Paul Giammatteo and John Edwards through their attorney.

Best regards,



Kevin A. Oliver

Enclosure

IMPORTANT - PLEASE READ

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION PLEASE TELEPHONE THE SENDER.

JOB STATUS REPORT

TIME : 03/10/2004 13:50
NAME : FOLEY HOAG LLP
FAX# : 617-832-7000
TEL# :

DATE, TIME 03/10 13:49
FAX NO./NAME 915085496295
DURATION 00:00:57
PAGE(S) 06
RESULT OK
MODE STANDARD
ECM



**FOLEY
HOAG** LLP
ATTORNEYS AT LAW

Fax

Date: March 10, 2004

To: Michelle Banks

Fax #: 508-549-6295

Confirm#:

Client Matter#: 22639-14001

From: Kevin A. Oliver

Sender's Number: 1241

User #: 6674

Total Pages Sent (Including Cover Sheet): 6

Office: Boston

Message

Re: U.S. Patent Application No. 10/751,551

Filed: January 5, 2004

Title: NMR Probe With Flow Restriction Element

Our Reference: FOM-140.01 (22639-140.01)

Dear Michelle:

As requested in your e-mail of yesterday's date, enclosed are the following:

1. Declaration; and
2. Power of Attorney forms for Tal Cohen, Uri Rapoport and Naim Levi.

Kindly obtain the signatures of the three inventors indicated above, and I will again attempt to obtain the signatures of Paul Giammatteo and John Edwards through their attorney.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention NMR Probe With Flow Restriction Element

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. _____, filed on January 5, 2004,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Tal Cohen

Signature: _____ Citizen of: Israel

Inventor two: Paul J. Giammatteo

Signature: _____ Citizen of: U.S.

Inventor three: John C. Edwards

Signature: _____ Citizen of: G.B.

Inventor four: Uri Rapoport

Signature: _____ Citizen of: Israel

☒ Additional inventors or a legal representative are being named on 1 additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Declaration with Application Data Sheet SB-1A continuation page

Inventor five: Naim Levi

Signature: _____ Citizen of: _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM****Application Number****Filing Date**

January 5, 2004

First Named Inventor

Cohen, Tal

Art Unit**Examiner Name****Attorney Docket Number**

FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number
OR

25181

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.
OR☐ The address associated with Customer Number:☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Tal Cohen

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number

Filing Date

January 5, 2004

First Named Inventor

Cohen, Tal

Art Unit

Examiner Name

Attorney Docket Number

FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number

25181

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Uri Rapoport

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM****Application Number****Filing Date**

January 5, 2004

First Named Inventor

Cohen, Tal

Art Unit**Examiner Name****Attorney Docket Number**

FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number
OR

25181

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.
OR☐ The address associated with Customer Number:
OR☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Naim Levi

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

April 26, 2004

Kevin A. Oliver
Boston Office
617.832.1241
koliver@foleyhoag.com

Via DHL

Naim Levi
32/1 Sinai Street
47226 Ramat Hasharon
D.N. Merkaz
ISRAEL

Re: U.S. Patent Application Ser. No. 10/751,551
Entitled: NMR Probe With Flow Restriction Element
Inventors: Cohen et al.
Our Ref.: FOM-140.01 (22639-14001)

Dear Naim:

Enclosed are the following forms in connection with the subject application which require your signature where indicated:

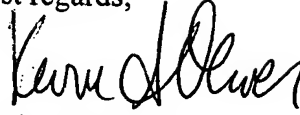
- 1) Declaration for Utility Application Using an Application Data Sheet;
- 2) Power of Attorney; and
- 3) Assignment form.

Please note that the Assignment form must be witnessed although the witness need not be a notary public. Kindly sign these forms at your earliest convenience and return them to me in the enclosed DHL envelope.

FHBoston/1046031.1

Naim Levi
April 26, 2004
Page 2

Best regards,

A handwritten signature in black ink, appearing to read "Kevin A. Oliver". The signature is fluid and cursive, with the first name "Kevin" and last name "Oliver" clearly distinguishable.

Kevin A. Oliver

KAO:tab
Enclosure

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/751,551
Filing Date	January 5, 2004
First Named Inventor	Cohen, Tal
Art Unit	2862
Examiner Name	
Attorney Docket Number	FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number

25181

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Naim Levi

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention **NMR Probe With Flow Restriction Element**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. _____, filed on January 5, 2004,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Tal Cohen

Signature: _____ Citizen of: Israel

Inventor two: Paul J. Giammatteo

Signature: _____ Citizen of: U.S.

Inventor three: John C. Edwards

Signature: _____ Citizen of: G.B.

Inventor four: Uri Rapoport

Signature: _____ Citizen of: Israel

☒ Additional inventors or a legal representative are being named on 1 additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Declaration with Application Data Sheet SB-1A continuation page

Inventor five: Naim Levi

Signature: _____ Citizen of: _____

ASSIGNMENT

Whereas we, Tal Cohen, whose residence address is 20 Yehoshafat Street, Herzia, Israel 46701, Paul J. Giammatteo, whose residence address is 301 Jacob Road, Southbury, CT 06488, John C. Edwards, whose residence address is 7 Gus Siko Road, Poughkeepsie, NY 12601, Uri Rapoport, whose residence address is Masek 17, Moshay Ben-Shemen, D.N. Merkaz, Israel, and Naim Levi, whose residence address is 32/1 Sinai Street, 47226 Ramat Hasharon, D.N. Merkaz, ISRAEL, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled NMR PROBE WITH FLOW RESTRICTION ELEMENT, identified by Foley Hoag LLP Docket No. FOM-140.01, the specification of which was filed on January 5, 2004, and accorded Serial Number 10/751,551; and

Whereas Foxboro NMR, whose address is 33 Commercial Street - B52 - 2J, Foxboro, MA 02035-2099, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, therefore, for valuable consideration furnished by Assignee to us, the receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;
5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed

by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

_____	_____
Date	Tal Cohen, Inventor

_____	_____
Date	Witness

Witness's Printed Name

_____	_____
Date	Paul J. Giammatteo, Inventor

_____	_____
Date	Witness

Witness's Printed Name

Date

John C. Edwards, Inventor

Date

Witness

Witness's Printed Name

Date

Uri Rapoport, Inventor

Date

Witness

Witness's Printed Name

Date

Naim Levi, Inventor

Date

Witness

Witness's Printed Name



**FOLEY
HOAG** LLP
ATTORNEYS AT LAW

Exhibit "D"

April 26, 2004

Kevin A. Oliver
Boston Office
617.832.1241
koliver@foleyhoag.com

Via DHL

Uri Rapoport
Masek 17
Moshay Ben-Shemen
D.N. Merkaz
ISRAEL

Re: U.S. Patent Application Ser. No. 10/751,551
Entitled: NMR Probe With Flow Restriction Element
Inventors: Cohen et al.
Our Ref.: FOM-140.01 (22639-14001)

Dear Uri:

Enclosed are the following forms in connection with the subject application which require your signature where indicated:

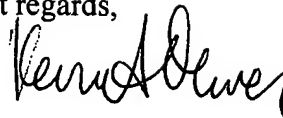
- 1) Declaration for Utility Application Using an Application Data Sheet;
- 2) Power of Attorney; and
- 3) Assignment form.

Please note that the Assignment form must be witnessed although the witness need not be a notary public. Kindly sign these forms at your earliest convenience and return them to me in the enclosed DHL envelope.

FHBoston/1046031.1

Uri Rapoport
April 26, 2004
Page 2

Best regards,

A handwritten signature in black ink, appearing to read "Kevin A. Oliver". The signature is fluid and cursive, with the first name "Kevin" and last name "Oliver" clearly distinguishable.

Kevin A. Oliver

KAO:tab
Enclosure

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/751,551
Filing Date	January 5, 2004
First Named Inventor	Cohen, Tal
Art Unit	2862
Examiner Name	
Attorney Docket Number	FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number

25181

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Uri Rapoport

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	NMR Probe With Flow Restriction Element
<p>As the below named inventor(s), I/we declare that:</p> <p>This declaration is directed to:</p> <p style="text-align: center;"><input type="checkbox"/> The attached application, or</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Application No. _____, filed on <u>January 5, 2004</u>,</p> <p style="text-align: center;"><input type="checkbox"/> as amended on _____ (if applicable);</p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.</p> <p>All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p>	
FULL NAME OF INVENTOR(S)	
Inventor one:	<u>Tal Cohen</u>
Signature: _____	Citizen of: <u>Israel</u>
Inventor two:	<u>Paul J. Giammatteo</u>
Signature: _____	Citizen of: <u>U.S.</u>
Inventor three:	<u>John C. Edwards</u>
Signature: _____	Citizen of: <u>G.B.</u>
Inventor four:	<u>Uri Rapoport</u>
Signature: _____	Citizen of: <u>Israel</u>
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on <u>1</u> additional form(s) attached hereto.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Declaration with Application Data Sheet SB-1A continuation page

Inventor five: Naim Levi

Signature: _____ Citizen of: _____

ASSIGNMENT

Whereas we, Tal Cohen, whose residence address is 20 Yehoshafat Street, Herzia, Israel 46701, Paul J. Giammatteo, whose residence address is 301 Jacob Road, Southbury, CT 06488, John C. Edwards, whose residence address is 7 Gus Siko Road, Poughkeepsie, NY 12601, Uri Rapoport, whose residence address is Masek 17, Moshay Ben-Shemen, D.N. Merkaz, Israel, and Naim Levi, whose residence address is 32/1 Sinai Street, 47226 Ramat Hasharon, D.N. Merkaz, ISRAEL, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled NMR PROBE WITH FLOW RESTRICTION ELEMENT, identified by Foley Hoag LLP Docket No. FOM-140.01, the specification of which was filed on January 5, 2004, and accorded Serial Number 10/751,551; and

Whereas Foxboro NMR, whose address is 33 Commercial Street - B52 - 2J, Foxboro, MA 02035-2099, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, therefore, for valuable consideration furnished by Assignee to us, the receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;
5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed

by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

_____	_____
Date	Tal Cohen, Inventor

_____	_____
Date	Witness

Witness's Printed Name

_____	_____
Date	Paul J. Giammatteo, Inventor

_____	_____
Date	Witness

Witness's Printed Name

Date

John C. Edwards, Inventor

Date

Witness

Witness's Printed Name

Date

Uri Rapoport, Inventor

Date

Witness

Witness's Printed Name

Date

Naim Levi, Inventor

Date

Witness

Witness's Printed Name



**FOLEY
HOAG LLP**
ATTORNEYS AT LAW

Exhibit "E"

April 26, 2004

Kevin A. Oliver
Boston Office
617.832.1241
koliver@foleyhoag.com

Via DHL

Tal Cohen
20 Yehoshafat Street
Herzia
Israel 46701

Re: U.S. Patent Application Ser. No. 10/751,551
Entitled: NMR Probe With Flow Restriction Element
Inventors: Cohen et al.
Our Ref.: FOM-140.01 (22639-14001)

Dear Tal:

Enclosed are the following forms in connection with the subject application which require your signature where indicated:

- 1) Declaration for Utility Application Using an Application Data Sheet;
- 2) Power of Attorney; and
- 3) Assignment form.

Please note that the Assignment form must be witnessed although the witness need not be a notary public. Kindly sign these forms at your earliest convenience and return them to me in the enclosed DHL envelope.

Best regards,

Kevin A. Oliver

KAO:tab
Enclosure

FHBoston/1045978.1

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	NMR Probe With Flow Restriction Element
<p>As the below named inventor(s), I/we declare that:</p> <p>This declaration is directed to:</p> <p style="text-align: center;"><input type="checkbox"/> The attached application, or</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Application No. _____, filed on <u>January 5, 2004</u>,</p> <p style="text-align: center;"><input type="checkbox"/> as amended on _____ (if applicable);</p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.</p> <p>All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p>	
FULL NAME OF INVENTOR(S)	
Inventor one: <u>Tal Cohen</u>	
Signature: _____ Citizen of: <u>Israel</u>	
Inventor two: <u>Paul J. Giammatteo</u>	
Signature: _____ Citizen of: <u>U.S.</u>	
Inventor three: <u>John C. Edwards</u>	
Signature: _____ Citizen of: <u>G.B.</u>	
Inventor four: <u>Uri Rapoport</u>	
Signature: _____ Citizen of: <u>Israel</u>	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on <u>1</u> additional form(s) attached hereto.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Declaration with Application Data Sheet SB-1A continuation page

Inventor five: Naim Levi

Signature: _____ Citizen of: _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/751,551
Filing Date	January 5, 2004
First Named Inventor	Cohen, Tal
Art Unit	2862
Examiner Name	
Attorney Docket Number	FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number
OR

25181

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Tal Cohen

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

Whereas we, Tal Cohen, whose residence address is 20 Yehoshafat Street, Herzia, Israel 46701, Paul J. Giammatteo, whose residence address is 301 Jacob Road, Southbury, CT 06488, John C. Edwards, whose residence address is 7 Gus Siko Road, Poughkeepsie, NY 12601, Uri Rapoport, whose residence address is Masek 17, Moshay Ben-Shemen, D.N. Merkaz, Israel, and Naim Levi, whose residence address is 32/1 Sinai Street, 47226 Ramat Hasharon, D.N. Merkaz, ISRAEL, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled NMR PROBE WITH FLOW RESTRICTION ELEMENT, identified by Foley Hoag LLP Docket No. FOM-140.01, the specification of which was filed on January 5, 2004, and accorded Serial Number 10/751,551; and

Whereas Foxboro NMR, whose address is 33 Commercial Street - B52 - 2J, Foxboro, MA 02035-2099, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, therefore, for valuable consideration furnished by Assignee to us, the receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;
5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed

by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

Date

Tal Cohen, Inventor

Date

Witness

Witness's Printed Name

Date

Paul J. Giammatteo, Inventor

Date

Witness

Witness's Printed Name

Date

John C. Edwards, Inventor

Date

Witness

Witness's Printed Name

Date

Uri Rapoport, Inventor

Date

Witness

Witness's Printed Name

Date

Naim Levi, Inventor

Date

Witness

Witness's Printed Name

Barbuto, Theresa

From: Barbuto, Theresa
Sent: Thursday, July 29, 2004 1:42 PM
To: 'vered@foxboronmr.com'
Cc: Oliver, Kevin
Subject: U.S. Patent Application No. 10/751,551

Our Reference No. FOM-140.01
Title: NMR Probe With Flow Restriction Element
Filed: January 5, 2004

Dear Vered: We sent Assignment and Declaration documents by DHL to Tal Cohen, Uri Rapoport and Naim Levi in April for their signatures but the executed documents have not been returned. We would appreciate it if you would contact these individuals and ask that they send the executed documents to us as soon as possible. If they require an additional set of documents, please let me know. Thank you. Teresa Barbuto, Assistant to Kevin A. Oliver

 **FOLEY
HOAG** LLP
ATTORNEYS AT LAW

August 2, 2004

Kevin A. Oliver
Boston Office
617.832.1241
koliver@foleyhoag.com

Via Federal Express

Naim Levi
32/1 Sinai Street
47226 Ramat Hasharon
D.N. Merkaz
ISRAEL

Re: U.S. Patent Application Ser. No. 10/751,551
Entitled: NMR Probe With Flow Restriction Element
Inventors: Cohen et al.
Our Ref.: FOM-140.01 (22639-14001)

Dear Naim:

Enclosed are the following forms in connection with the subject application which require your signature where indicated:

- 1) Declaration for Utility Application Using an Application Data Sheet;
- 2) Power of Attorney; and
- 3) Assignment form.

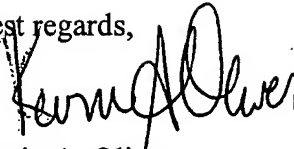
Please note that the Assignment form must be witnessed although the witness need not be a notary public. Kindly sign and return these forms at your earliest convenience so that they may be filed with the United States Patent Office.

Also enclosed is a copy of the Application as filed with the Patent Office on January 5, 2004.

FHBoston/1088902.1

Naim Levi
August 2, 2004
Page 2

Best regards,

A handwritten signature in black ink, appearing to read "Kevin A. Oliver". The signature is written in a cursive style with a large, looped "O" at the end.

Kevin A. Oliver

KAO:tab
Enclosure

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention** NMR Probe With Flow Restriction Element

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. _____, filed on January 5, 2004,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Tal CohenSignature: _____ Citizen of: IsraelInventor two: Paul J. GiammatteoSignature: _____ Citizen of: U.S.Inventor three: John C. EdwardsSignature: _____ Citizen of: G.B.Inventor four: Uri RapoportSignature: _____ Citizen of: Israel☒ Additional inventors or a legal representative are being named on 1 additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Declaration with Application Data Sheet SB-1A continuation page

Inventor five: Naim Levi

Signature: _____ Citizen of: _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/751,551
Filing Date	January 5, 2004
First Named Inventor	Cohen, Tal
Art Unit	2862
Examiner Name	
Attorney Docket Number	FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number

25181

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Naim Levi

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

Whereas we, Tal Cohen, whose residence address is 20 Yehoshafat Street, Herzia, Israel 46701, Paul J. Giammatteo, whose residence address is 301 Jacob Road, Southbury, CT 06488, John C. Edwards, whose residence address is 7 Gus Siko Road, Poughkeepsie, NY 12601, Uri Rapoport, whose residence address is Masek 17, Moshay Ben-Shemen, D.N. Merkaz, Israel, and Naim Levi, whose residence address is 32/1 Sinai Street, 47226 Ramat Hasharon, D.N. Merkaz, ISRAEL, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled NMR PROBE WITH FLOW RESTRICTION ELEMENT, identified by Foley Hoag LLP Docket No. FOM-140.01, the specification of which was filed on January 5, 2004, and accorded Serial Number 10/751,551; and

Whereas Foxboro NMR, whose address is 33 Commercial Street - B52 - 2J, Foxboro, MA 02035-2099, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, therefore, for valuable consideration furnished by Assignee to us, the receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;
5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed

by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

Date

Tal Cohen, Inventor

Date

Witness

Witness's Printed Name

Date

Paul J. Giammatteo, Inventor

Date

Witness

Witness's Printed Name

Date

John C. Edwards, Inventor

Date

Witness

Witness's Printed Name

Date

Uri Rapoport, Inventor

Date

Witness

Witness's Printed Name

Date

Naim Levi, Inventor

Date

Witness

Witness's Printed Name

FedEx | Ship Manager | Label 26 9824 4044

From: Origin ID: BVYA (617) 832-1241
 KEVIN OLIVER
 FOLEY HOAG LLP
 155 SEAPORT BLVD STE 1600
 BOSTON, MA 02210
 UNITED STATES

SHIP TO: 97246378535
 Naim Levi

BILL SENDER

CLASZ0401



32/1 Sinai Street
 47226 Ramat Hasharon
 DN Merkaz,
 ISRAEL IL

Ship Date: 02AUG04
 Actual Wgt: 1 LB
 System#: 1249742/INET1850
 Account#: S *****

Total Weight: 1 LB

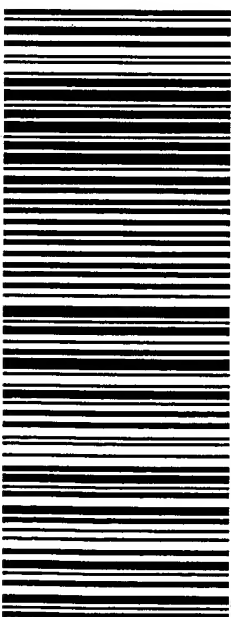
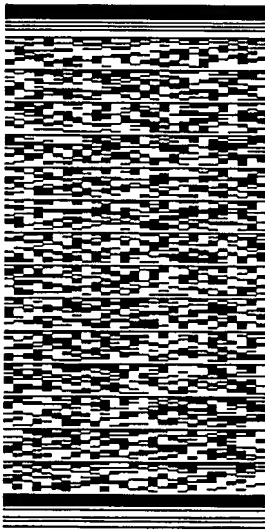
REF: FOM-147.01
 DESC-1: patent documents
 DESC-2:
 DESC-3:
 DESC-4:
 SED: NDR30.55(h)
 COUNTRY MFG:
 CARRIAGE VALUE: 0.00 USD
 CUSTOMS VALUE: 0.00 USD
 T/C: S 002141400 D/T: R
 SIGN: KEVIN OLIVER
 EIN/VAT:

IP ENVELOPE

TRK# 7926 9824 4044

FORM 0430

--IL



These commodities, technology, or software were exported from the United States in accordance with the export administration regulations. Diversion contrary to United States law prohibited. The Wassenaar Convention may apply and will govern and in most cases limit the liability of Federal Express for loss or delay or of damage to your shipment. Subject to the conditions of the contract.



FOLEY
HOAG LLP
ATTORNEYS AT LAW

Exhibit "I"

August 2, 2004

Kevin A. Oliver
Boston Office
617.832.1241
koliver@foleyhoag.com

Via Federal Express

Tal Cohen
20 Yehoshafat Street
Herzia
Israel 46701

Re: U.S. Patent Application Ser. No. 10/751,551
Entitled: NMR Probe With Flow Restriction Element
Inventors: Cohen et al.
Our Ref.: FOM-140.01 (22639-14001)

Dear Tal:

Enclosed are the following forms in connection with the subject application which require your signature where indicated:

- 1) Declaration for Utility Application Using an Application Data Sheet;
- 2) Power of Attorney; and
- 3) Assignment form.

Please note that the Assignment form must be witnessed although the witness need not be a notary public. Kindly sign and return these forms at your earliest convenience so that they may be filed with the United States Patent Office.

Also enclosed is a copy of the Application as filed with the Patent Office on January 5, 2004.

Best regards,

Kevin A. Oliver

KAO:tab
Enclosure

FHBoston/1088894.1

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	NMR Probe With Flow Restriction Element
<p>As the below named inventor(s), I/we declare that:</p> <p>This declaration is directed to:</p> <p style="margin-left: 40px;"><input type="checkbox"/> The attached application, or</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> Application No. _____, filed on <u>January 5, 2004</u>,</p> <p style="margin-left: 40px;"><input type="checkbox"/> as amended on _____ (if applicable);</p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.</p> <p>All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p>	

FULL NAME OF INVENTOR(S)	
Inventor one: <u>Tal Cohen</u>	
Signature: _____	Citizen of: <u>Israel</u>
Inventor two: <u>Paul J. Giammatteo</u>	
Signature: _____	Citizen of: <u>U.S.</u>
Inventor three: <u>John C. Edwards</u>	
Signature: _____	Citizen of: <u>G.B.</u>
Inventor four: <u>Uri Rapoport</u>	
Signature: _____	Citizen of: <u>Israel</u>
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on <u>1</u> additional form(s) attached hereto.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Declaration with Application Data Sheet SB-1A continuation page

Inventor five: Naim Levi

Signature: _____ Citizen of: _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/751,551
Filing Date	January 5, 2004
First Named Inventor	Cohen, Tal
Art Unit	2862
Examiner Name	
Attorney Docket Number	FOM-140.01

I hereby appoint:

☒ Practitioners at Customer Number

25181

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Tal Cohen

Signature

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 5 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

Whereas we, Tal Cohen, whose residence address is 20 Yehoshafat Street, Herzia, Israel 46701, Paul J. Giammatteo, whose residence address is 301 Jacob Road, Southbury, CT 06488, John C. Edwards, whose residence address is 7 Gus Siko Road, Poughkeepsie, NY 12601, Uri Rapoport, whose residence address is Masek 17, Moshay Ben-Shemen, D.N. Merkaz, Israel, and Naim Levi, whose residence address is 32/1 Sinai Street, 47226 Ramat Hasharon, D.N. Merkaz, ISRAEL, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled NMR PROBE WITH FLOW RESTRICTION ELEMENT, identified by Foley Hoag LLP Docket No. FOM-140.01, the specification of which was filed on January 5, 2004, and accorded Serial Number 10/751,551; and

Whereas Foxboro NMR, whose address is 33 Commercial Street - B52 - 2J, Foxboro, MA 02035-2099, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, therefore, for valuable consideration furnished by Assignee to us, the receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;
5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed

by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

Date

Tal Cohen, Inventor

Date

Witness

Witness's Printed Name

Date

Paul J. Giammatteo, Inventor

Date

Witness

Witness's Printed Name

Date

John C. Edwards, Inventor

Date

Witness

Witness's Printed Name

Date

Uri Rapoport, Inventor

Date

Witness

Witness's Printed Name

Date

Naim Levi, Inventor

Date

Witness

Witness's Printed Name

Exhibit "J"

FedEx | Ship Manager | Label 7926 9825 2204

Page 1 of 1

From: Origin ID: BVYA (617) 832-1241
KEVIN OLIVER
FOLEY HOAG LLP
155 SEAPORT BLVD STE 1600
BOSTON, MA 02210
UNITED STATES

SHIP TO: 97254300058
Tal Cohen
20 Yehoshafat Street
Herzia, 46701
ISRAEL IL

BILL SENDER



FedEx
Express

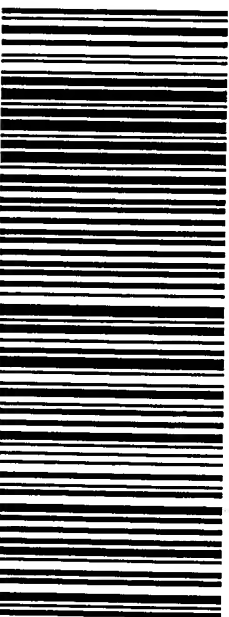
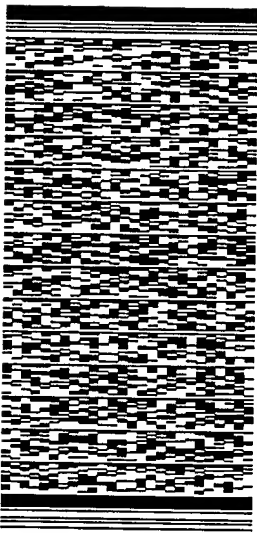
Ship Date: 02AUG04
Actual Wgt: 1 LB
System#: 1249742INET1850
Account#: S *****

Total Weight: 1 LB

REF: FOM-140 01
DESC-1: patent documents
DESC-2:
DESC-3:
DESC-4:
SED: NDR30.55(h)
COUNTRY MFG:
CARRIAGE VALUE: 0.00 USD
CUSTOMS VALUE: 0.00 USD
T/C: S 002141400 D/T: R
SIGN: KEVIN OLIVER
EINVAIT:

IP ENVELOPE

TRK# 7926 9825 2204 FORM 0430
46701 --IL



These commodities, technology or software were exported from the United States in accordance with the export administration regulations. Diversion contrary to United States law prohibited.
The Warsaw Convention may apply and will govern and in most cases limit the liability of Federal Express for loss or delay or damage to your shipment. Subject to the conditions of the contract.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cohen et al.)	
)	
Serial No.: 10/751,551)	Group Art Unit: 2862
)	
Filed: January 5, 2004)	Examiner: Not Yet Assigned
)	
For: NMR Probe With Flow Restriction Element)	Attorney Docket No.: FOM-140.01
)	

**STATEMENT OF FACTS IN SUPPORT OF PETITION UNDER 37 C.F.R. § 1.47(a) -
DECLARATION OF VERED KAMA-SCHEFNER**

1. I am Vered Kama-Schefner, Chief Financial Officer with Foxboro NMR Ltd., a subsidiary of Invensys Systems, Inc. I am authorized to act on behalf of Foxboro NMR.
2. I hereby declare that I have personal knowledge of the facts stated herein.
3. I hereby declare that, upon receipt of the declaration documents sent by Mr. Kevin Oliver on January 5, 2004 to me, I attempted to obtain the signatures of co-inventors Uri Rapoport, Naim Levi, and Tal Cohen on the declaration documents.
4. I hereby declare Tal Cohen orally communicated to me that he refused to sign the declaration document for the subject matter that is claimed and for which a patent is sought on the invention entitled NMR PROBE WITH FLOW RESTRICTION ELEMENT, the specification of which was filed on January 5, 2004, and accorded Serial Number 10/751,551, with further named inventors Paul J. Giammatteo, John C. Edwards, Uri Rapoport, and Naim Levi. I do not recall the exact time of this refusal or the place, as Mr. Cohen made this refusal to me on repeated occasions. In my presence, Mr. Cohen further orally communicated that he refused to sign any documents that would bring any benefit to Foxboro NMR.
5. Upon receipt of a patent-related document in a case unrelated to this one, Tal Cohen again orally communicated to me that he would not sign any documents that would bring any

11/04/2004 13:28

617-832-7000

FOLEY HOAG LLP

PAGE 03/03


PATENTS
FOM-140.01

benefit to Foxboro NMR, and further that he no longer wished to received any patent-related documents sent to him pertaining to applications for inventions sought by Foxboro NMR.

6. I hereby declare that Tal Cohen is no longer employed by Foxboro NMR.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By: Vered Kama-Schefner
Title: CFO, Foxboro NMR Ltd.
Date: 11/4/04


Foxboro NMR Ltd.
PO BOX 1507, Weymouth, MA 01981
Tel: 617-435-1161 Fax: 617-435-1182

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☐ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.